UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/654,936	09/01/2000	Y. Tom Tang	787CIP2C

Petrina S. Hsi
HYSEQ, INC.
670 Almanor Avenue
Sunnyvale, CA 94085

CONFIRMATION NO. 7214

FORMALITIES LETTER

OC000000009260807

Date Mailed: 12/18/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Docket No. 787CIP2C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Y. Tom Tang
Serial No:	09/654,936
Filed:	September 01, 2000
For:	NOVEL NUCLEIC ACIDS AND POLYPEPTIDES

RESPONSE TO NOTICE TO COMPLY MAILED DECEMBER 18, 2002

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is in response to the Notice to Comply mailed December 18, 2002. The Notice states that a copy of the "Sequence Listing" in computer readable form has not been submitted to the U.S. Patent and Trademark Office. Applicants respectfully traverse. Applicants submit that two copies of the "Sequence Listing" in computer readable form were filed along with the response to the Notice to File Missing Parts mailed October 9, 2002. A copy of the response as well as a copy of the PTO date-stamped return postcard confirming that the PTO received the complete response along with the two copies of the "Sequence Listing" on October 15, 2002 is submitted herein.

Applicants respectfully submit that because the PTO acknowledged timely receipt of the copies of the "Sequence Listing", the Notice to Comply mailed December 18, 2002 was mailed in error. However, Applicants include herein two additional copies of the "Sequence Listing" in
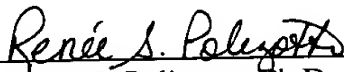
computer readable format. In addition, Applicants submit that payment of fees for any extensions of time associated with this response are unnecessary.
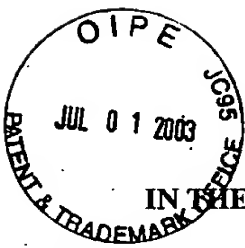
If there are any questions regarding these remarks, the Commissioner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted

Dated: June 27, 2003   By: _Renée S. Polizotto_
Renée S. Polizotto, Ph.D.
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Docket No.: 787CIP2C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Y. Tom Tang
Serial No:	09/654,936
Filed:	September 01, 2000
For:	NOVEL NUCLEIC ACIDS AND POLYPEPTIDES

TRANSMITTAL LETTER

U.S. Patent and Trademark Office
BOX SEQUENCE
P.O. Box 2327
Arlington, VA 22202

Sir:

Enclosed are the following items for filing in the above-referenced U.S. Patent Application:

1. Copy of Notice to File Missing Parts dated August 13, 2002.

2. Executed Declaration and Power of Attorney document for filing in the above-referenced application, in response to the Notice to File Missing Parts issued by the Patent and Trademark Office on January 12, 2001.

3. 2 Computer Disks with Sequence Listing in computer readable form
4. Statement Regarding Sequence Listing 1.821 (f)
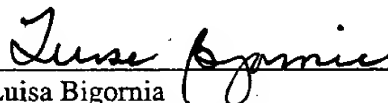
5. Statement Regarding Sequence Listing 1.52 (e) (3)

Applicants previously claimed small entity status (See 37 CFR 1.27).

The Commissioner is hereby authorized to charge payment of any fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 501169. A duplicate copy of this sheet is enclosed.

Respectfully submitted

Dated: October 9, 2002   By: Luisa Bigornia

Luisa Bigornia
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